


OCT 31 2012

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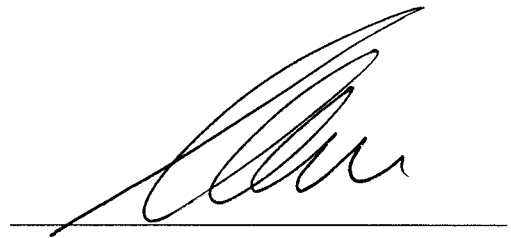
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CHRIS CARTY,)	Civil Action No. 7:12cv00086
)	
Plaintiff,)	<u>ORDER ADOPTING REPORT</u>
)	<u>AND RECOMMENDATION</u>
v.)	
)	
T. COX et al.,)	
)	
Defendants.)	By: Samuel G. Wilson
)	United States District Judge

Chris Carty, a Virginia inmate proceeding *pro se*, brings this action pursuant to 42 U.S.C. § 1983 against two defendants, T. Cox, a registered nurse at Red Onion State Prison (“ROSP”), and P. Stanley, a correctional officer at ROSP, for injuries he allegedly received as a result of the defendants’ refusal to provide medical care to him. The court referred the matter to United States Magistrate Judge Pamela Meade Sargent for a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge issued a report analyzing Carty’s request for injunctive relief and recommending the court deny Carty’s request on the grounds that Carty has neither demonstrated any likelihood of irreparable harm in the absence of injunctive relief, nor shown any likelihood of success on the merits, which report the court adopted in its entirety on October 1, 2012. The Magistrate Judge then issued a second report regarding the defendants’ motions to dismiss for failure to state a claim, and recommended that the defendants’ motions be granted on the grounds that Carty failed to state a claim against either defendant for deliberate indifference to Carty’s medical needs. Carty filed an objection to this Report and Recommendation that he has entitled “Rebut/Refute,” which the court construes to be essentially a general objection to the Magistrate Judge’s report. Having reviewed the Report and

Recommendation, the objections thereto, and pertinent portions of the record *de novo* in accordance with § 636(b)(1), the court agrees with the Magistrate Judge's recommendation. Accordingly, it is hereby **ORDERED** and **ADJUDGED** that Carty's objections to the Magistrate Judge's Report and Recommendation (ECF No. 43) are **OVERRULED**, the Magistrate Judge's Report and Recommendation (ECF No. 42) is **ADOPTED**, and this case is **STRICKEN** from the court's docket. The Clerk is **DIRECTED** to send a copy of this order to the plaintiff.

ENTER: October 31, 2012.

A handwritten signature in black ink, consisting of stylized, overlapping loops and strokes, positioned above a horizontal line.

UNITED STATES DISTRICT JUDGE